

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Hawkins et al.
TITLE : **TONER PROCESSES**
APPLICATION NO. : 10/767,754
FILED : January 28, 2004
CONFIRMATION NO. : 5569
EXAMINER : Mark A. Chapman
ART UNIT : 1756
ALLOWED : May 12, 2006
ATTORNEY DOCKET NO. : A2578-US-NP
XERZ 2 01170

RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Issue Fee

Dear Sir:

Applicants gratefully acknowledge the indication as to the allowance of the present application.

However, applicants respectfully submit the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance may be set forth in instances in which " . . . the Examiner believes that the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2004)). In the present case, applicants believe the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicants do not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicants' claimed invention as reflected in the specification and the applicants' responses to the Examiner's office actions.

Therefore, while applicants believe the claims are allowable, applicants do not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

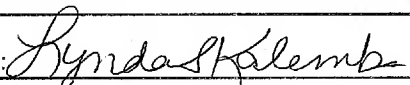
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

June 8, 2006

Date



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CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/>	deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
<input checked="" type="checkbox"/>	transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.
	Signature: 
Date: June 8, 2006	Name: Lynda S. Kalemba